

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

07 AUG 20 PM 1:07

UNITED STATES OF AMERICA

Plaintiff :

CASE NO. 1:06 CR 565-08

-vs- :

LEEYON THOMAS

Defendant :

ORDER ACCEPTING PLEA
AGREEMENT AND JUDGMENT AND
NOTICE OF HEARING

UNITED STATES DISTRICT JUDGE LESLEY WELLS

This case is before the Court on a Report and Recommendation filed by United States Magistrate Judge Nancy A. Vecchiarelli regarding the change of plea hearing and plea agreement of Leevon Thomas which was referred to the Magistrate Judge with the consent of the parties.

On 6 December 2006, the government filed a two-count indictment against Leevon Thomas for conspiracy to distribute cocaine base and cocaine in violation of 21 U.S.C. § 846, and distribution of cocaine base in violation of 21 U.S.C. § 841(a)(1). On 7 December 2006, a hearing was held in which Leevon Thomas entered a plea of not guilty before Magistrate Judge Patricia A. Hemann. On 10 July 2007, Magistrate Judge Vecchiarelli received Leevon Thomas's plea of guilty and issued a Report and

Recommendation ("R&R") concerning whether the plea should be accepted and a finding of guilty entered.

Neither party submitted objections to the Magistrate Judge's R&R in the ten days after it was issued.

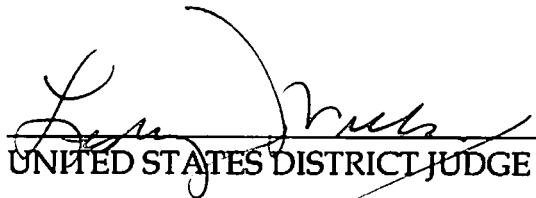
On de novo review of the record, the Magistrate Judge's R&R is adopted. Leevon Thomas is found to be competent to enter a plea. He understands his constitutional rights. He is aware of the charges and of the consequences of entering a plea. There is an adequate factual basis for the plea. The Court finds the plea was entered knowingly, intelligently, and voluntarily. The plea agreement is approved.

Therefore, Leevon Thomas is adjudged guilty of the lesser offense in Count One in violation of 21 U.S.C. § 846 and § 841(b)(1)(C).

Sentencing will be:

22 October 2007 at 2:00 p.m.
Courtroom 9-A
9th Floor, United States District Court
801 West Superior Avenue
Cleveland, Ohio 44113

IT IS SO ORDERED.


UNITED STATES DISTRICT JUDGE